

Appln No. 09/885,307
Amdt date October 18, 2007
Reply to Office action of July 18, 2007

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Canceled)
2. (Currently Amended) The method of claim ~~[[1]]~~ 64, wherein the first and second audio characteristic information indicate~~[[s]]~~ subject matter content for ~~each of the plurality of the first and second~~ audio pieces.
3. (Currently Amended) The method of claim 64, wherein the ~~plurality of first and second~~ audio pieces include music.
4. (Currently Amended) The method of claim 64, wherein the ~~plurality of first and second~~ audio pieces include voice.
5. (Currently Amended) The method of claim 64, wherein the ~~plurality of first and second~~ audio pieces include ~~[[an]]~~ advertisements.
6. (Previously Presented) The method of claim 64, wherein the user audio preference information is associated with a particular theme, the method further comprising:
receiving a user selection of the particular theme; and
identifying the user preference information associated with the particular theme.
- 7-8. (Canceled)

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9. (Currently Amended) The method of claim [[1]] 64, wherein the ~~plurality~~ of first and second audio pieces[[, the]] and the first and second audio characteristic information; ~~or both, is~~ are received over a radio broadcast network.

10. (Canceled)

11. (Currently Amended) The method of claim [[1]] 64, wherein the ~~plurality~~ of first and second audio pieces [[, the]] and the first and second audio characteristic information; ~~or both, is~~ are received over a computer network.

12-24. (Canceled)

25. (Currently Amended) The system of claim [[24]] 84, wherein the first and second audio characteristic information indicate[[s]] subject matter content for ~~each of the~~ plurality of the first and second audio pieces.

26. (Currently Amended) The system of claim 84, wherein the ~~plurality of~~ first and second audio pieces include music.

27. (Currently Amended) The system of claim 84, wherein the ~~plurality of~~ first and second audio pieces include voice.

28. (Currently Amended) The system of claim 84, wherein the ~~plurality of~~ first and second audio pieces include [[an]] advertisements.

29. (Previously Presented) The system of claim 84, wherein the user audio preference information is associated with a particular theme, the system further comprising:
means for receiving a user selection of the particular theme.

30-31. (Canceled)

32. (Currently Amended) The system of claim [[24]] 84, wherein the ~~plurality~~ of first and second audio pieces[, the]] and the first and second audio characteristic information; ~~or both, is~~ are received over a radio broadcast network.

33. (Currently Amended) The system of claim [[24]] 84, wherein the ~~plurality~~ of first and second audio pieces[, the]] and the first and second audio characteristic information; ~~or both, is~~ are received over a computer network.

34-56. (Canceled)

57. (Currently Amended) The method of claim [[1]] 64, wherein each of the first and second audio characteristic information ~~for each of the plurality of audio pieces~~ is represented as an audio vector, the audio vector storing at least one value representing the extent of a particular audio characteristic present in the corresponding audio piece.

58. (Canceled)

59. (Currently Amended) The method of claim [[1]] 64 further comprising:
receiving the first and second audio characteristic information from a transmitting source
in advance of the receipt of the ~~plurality of~~ first and second audio pieces.

60. (Currently Amended) The method of claim [[1]] 64 further comprising:
receiving the first and second audio characteristic information from a transmitting source
concurrently with the first and second audio pieces.

61. (Canceled)

62. (Currently Amended) The method of claim [[61]] 64, wherein the ~~plurality of stored~~ audio pieces are played according to customized playback times.

63. (Currently Amended) The method of claim 64, wherein the ~~plurality of~~ first and second audio pieces are broadcast over the first and second ~~plurality of~~ audio channels based on their broadcast times.

64. (Currently Amended) In a communication network including a user station, a method for creating a customized audio program comprising:

- receiving user audio preference information;
- receiving first audio characteristic information for a first audio piece;
- receiving second audio characteristic information for a second audio piece;
- selecting the first and second audio pieces based on a comparison of respectively the first and second audio characteristic information with the user audio preference information;
- identifying first and second audio channels configured to respectively deliver the first and second audio pieces;
- identifying first and second delivery times in which the first and second audio channels are configured to deliver the first and second audio pieces;
- automatically tuning to the first audio channel for receiving the selected first audio piece based on the identified first audio channel and the identified first delivery time;
- selectively automatically tuning, without user intervention since the tuning to the first audio channel, to a plurality of the second audio channel[[s]] for receiving selected ones of a plurality of the selected second audio pieces delivered over the plurality of audio channels, the selected ones of the plurality of audio pieces being identified based on the user audio preference information based on the identified second audio channel and the identified second delivery time;

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temporarily storing in a buffer as the customized audio program the ~~selected ones of the~~
~~plurality of~~ received first and second audio pieces ~~in a buffer~~;
and

outputting the temporarily stored audio pieces responsive to a detected playback
condition, ~~wherein the playback condition is powering-on of the user station~~ which invokes
playback of the customized audio program.

65-69. (Canceled)

70. (Currently Amended) The user station of claim ~~[[68]]~~ 78, wherein each of
the first and second audio characteristic information ~~for each of the plurality of audio pieces~~ is
represented as an audio vector, the audio vector storing at least one value representing the extent
of a particular audio characteristic present in the corresponding audio piece.

71. (Canceled)

72. (Currently Amended) The user station of claim ~~[[68]]~~ 78 further
comprising:

means for receiving the first and second audio characteristic information from a
transmitting source in advance of the receipt of the ~~plurality of~~ first and second audio pieces.

73. (Currently Amended) The user station of claim ~~[[68]]~~ 78 further
comprising:

means for receiving the first and second audio characteristic information from a
transmitting source concurrently with the first and second audio pieces.

74. (Canceled)

75. (Currently Amended) The user station of claim [[74]] 78, wherein the ~~dynamically generated~~ customized audio program includes customized playback times.

76. (Currently Amended) The user station of claim 78, wherein the ~~plurality of first and second~~ audio pieces are configured to be broadcast over the ~~plurality of first and second~~ audio channels based on their broadcast times.

77. (Currently Amended) The user station of claim [[74]] 78, wherein the sequencer ~~detects the~~ is configured to detect the playback condition and is configured to invoke ~~causes~~ the output to play the temporarily stored audio pieces responsive to the detected playback condition.

78. (Currently Amended) A user station comprising:
~~an~~ one or more inputs for receiving user audio preference information and for receiving
first audio characteristic information for a first audio piece and second audio characteristic
information for a second audio piece;

~~an audio tuner;~~

~~a preference tuner coupled to the audio tuner, the preference tuner for causing the audio~~
~~tuner to selectively tune to a plurality of audio channels for receiving selected ones of a plurality~~
~~of audio pieces, the selected ones of the plurality of audio pieces being identified based on the~~
~~user audio preference information~~ configured to:

select the first and second audio pieces based on a comparison of respectively the
first and second audio characteristic information with the user audio preference information;

identify first and second audio channels configured to respectively deliver the first
and second audio pieces; and

identify first and second delivery times in which the first and second audio
channels are configured to deliver the first and second audio pieces;

an audio tuner coupled to the preference tuner, the audio tuner being configured to:

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automatically tune to the first audio channel for receiving the selected first audio piece based on the identified first audio channel and the identified first delivery time; and
automatically tune, without user intervention since the tuning to the first audio channel, to the second audio channel for receiving the selected second audio piece based on the identified second audio channel and the identified second delivery time;

a buffer for temporarily storing as the customized audio program ~~the selected ones of the plurality of received first and second~~ audio pieces;

a sequencer coupled to the buffer for controlling playback of the ~~temporarily stored audio pieces~~ customized audio program; and

an output for playing the customized audio program in response to a temporarily stored audio piece, wherein the playback condition is ~~powering on of the user station~~.

79-80. (Canceled)

81. (Currently Amended) The user station of claim [[68]] 78, wherein the first and second audio characteristic information indicate[[s]] subject matter content for ~~each of the plurality of first and second~~ audio pieces.

82. (Currently Amended) The user station of claim [[68]] 78, wherein the ~~plurality of first and second~~ audio pieces[[, the]] and the first and second audio characteristic information, ~~or both, is~~ are received over a radio broadcast network.

83. (Currently Amended) The user station of claim [[68]] 78, wherein the ~~plurality of first and second~~ audio pieces[[, the]] and the first and second audio characteristic information, ~~or both, is~~ are received over a computer network.

84. (Currently Amended) A system for creating a customized audio program comprising:

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means for receiving user audio preferences information;
means for receiving first audio characteristic information for a first audio piece;
means for receiving second audio characteristic information for a second audio piece;
means for selecting the first and second audio pieces based on a comparison of
respectively the first and second audio characteristic information with the user audio preference
information;

means for identifying first and second audio channels configured to respectively deliver
the first and second audio pieces;

means for identifying first and second delivery times in which the first and second audio
channels are configured to deliver the first and second audio pieces;

means for automatically tuning to the first audio channel for receiving the selected first
audio piece based on the identified first audio channel and the identified first delivery time;

means for ~~selectively~~ automatically tuning, without user intervention since the tuning to
the first audio channel, to a plurality of the second audio channel[[s]] for receiving selected ones
~~of a plurality of audio pieces delivered over the plurality of audio channels, the selected ones of~~
~~the plurality of audio pieces being identified based on the user audio preference information~~
based on the identified second audio channel and the identified second delivery time;

means for temporarily storing in a buffer as the customized audio program the ~~selected~~
~~ones of the plurality of~~ received first and second audio pieces in a buffer; and

means for outputting the temporarily stored audio pieces responsive to a detected
playback condition, ~~wherein the playback condition is powering on of an associated user station~~
which invokes playback of the customized audio program.

85. (New) The method of claim 64, wherein the automatic tuning to the
second audio channel occurs during the playback of a portion of the customized audio program.

86. (New) The method of claim 85, wherein the automatic tuning to the
second audio channel does not interrupt the playback of the customized audio program.

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87. (New) The method of claim 64, wherein the playback condition is powering-on of the user station.